

## Message Text

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44

ACTION COME-00

INFO OCT-01 ARA-10 ISO-00 OES-06 EB-07 IO-13 L-03 SSO-00

CIAE-00 INR-07 NSAE-00 INRE-00 /047 W

----- 116425

O 031912Z DEC 76

FM AMEMBASSY BOGOTA

TO SECSTATE WASHDC NIACT IMMEDIATE 8708

UNCLAS BOGOTA 12082

FOR DR. JOHN DARDIS OGS/APT/SA

PASS TO NOAA FOR G.D. HUGHES (TEL: 301-44308761)

E.O. 11652: N/A

TAGS: TPHY, CO

SUBJECT: DRAFT METEOROLOGICAL AGREEMENT FOR COLOMBIA

REF: BOGOTA 12070

1. DURING INITIAL NEGOTIATING MEETING DEC 2 ON DUBJECT AGREEMENT EMB OFFS RAISED STATUS PRESENT NOAA RESIDENT PHYSICAL SCIENCE TECHNICIAN JAMES COURTNEY. UNDER PROPOSED PROGRAM NOAA PLANS TO COLSE OUT POSITION AND ARRANGE FOR EMERGENCY MAINTENANCE BY USE NON-RESIDENT TECHNICIAN AS REQUIRED. THEREFORE, NEW AGREEMENT MAKES NO PROVISION FOR THE PROTECTION OF COURTNEY'S RIGHTS AND PRIVILEGES. DURING INTERIM PEIOD OF UP TO ONE YEAR UNTIL HIS PCS DEPARTURE, WE PROPOSE COVER COURTNEY UNDER SEPARATE EXCHANGE ON NOTES AND HAVE PREPARED TEXT FOR DEPARTMENT APPROVAL.

TEXT FOLLOWS: QUOTE.

I HAVE THE HONOR TO REFER TO CURRENT DISCUSSIONS BETWEEN OUR REPRESENTATIVES ON A PROPOSED NEW AGREEMENT CONCERNING OUR COOPERATIVE METEOROLOGICAL PROGRAM. THE AGREEMENT CURRENTLY AUTHORIZING THE PROGRAM WAS EFFECTED BY AN EXCHANGE OF NOTES SIGNED AT BOGOTA DECEMBER 19, 1968  
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AND ENTERED INTO FORCE ON THE SAME DATE.

UNDER THE EXISTING AGREEMENT THE U.S.GOVERNMENT HAS PROVIDED A PHYSICAL SCIENCE TECHNICIAN RESIDENT IN COLOMBIA. UNDER THE PROPOSED NEW AGREEMENT THE U.S. GOVERNMENT WILL PROVIDE TECHNICAL SERVICES BY A NON-RESIDENT TECHNICIAN. HOWEVER, THE CURRENT RESIDENT TECHNICIAN WILL REMAIN IN COLOMBIA FOR A PERIOD OF UP TO ONE YEAR. THIS NOTE PROPOSES TO DEFINE HIS STATUS DURING THIS INTERIM PERIOD. SPECIFICALLY, I PROPOSE THAT HIS STATUS IN COLOMBIA CONTINUE EXACTLY AS IT HAS DURING THE CURRENT AGREEMENT AND AS DEFINED THEREIN. THE PERTINENT PARAGRAPHS ARE QUOTED AS FOLLOWS:

"ANY NATIONAL OF THE UNITED STATES OF AMERICA, SERVING OR EMPLOYED IN COLOMBIA AS THE RESIDENT TECHNICIAN ASSIGNED TO THE COOPERATIVE PROGRAM BY THE UNITED STATES COOPERATING AGENCY AND PRESENT IN COLOMBIA BY REASON ONLY OF SUCH SERVICE OR EMPLOYMENT, SHALL BE EXEMPT FROM THE PAYMENT OF CUSTOMS AND IMPORT DUTIES ON THOSE PERSONAL BELONGINGS, HOUSEHOLD EFFECTS, EQUIPMENT AND SUPPLIES, INCLUDING ONE PRIVATELY OWNED AUTOMOBILE, WHICH ARE IMPORTED INTO COLOMBIA FOR HIS OWN USE OR THE USE OF MEMBERS OF HIS IMMEDIATE FAMILY, PROVIDED THAT SUCH ITEMS ARE IMPORTED AT THE TIME OF HIS ENTRY INTO COLOMBIA OR WITHIN THE PERIOD OF SIX MONTHS IMMEDIATELY FOLLOWING SUCH ENTRY."

"ANY SUCH NATIONAL, AND THE WIFE AND MINOR CHILDREN OF ANY NATIONAL, SHALL BE EXEMPT FROM THE PAYMENT OF ALL COLOMBIAN TAXES INCLUDING (1) INCOME TAX (EXCEPT IN RESPECT OF INCOME DERIVED FROM COLOMBIAN SOURCES); (2) SOCIAL SECURITY TAXES; (3) ANY POLL TAX OR SIMILAR TAX ON HIS PERSON; AND (4) ANY TAX ON THE OWNERSHIP OR USE OF PROPERTY SITUATED OUTSIDE OF COLOMBIA.

"NO PERSON ORDINARILY RESIDENT IN THE UNITED STATES OF AMERICA SHALL BE LIABLE TO PAY IN COLOMBIA ANY TAX IN THE NATURE OF A LICENSE IN RESPECT OF ANY SERVICE OR WORK FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA IN CONNECTION WITH THE COOPERATIVE PROGRAM OR UNDER ANY CONTRACT MADE WITH THE GOVERNMENT OF THE UNITED STATES OF AMERICA IN CONNECTION WITH THE COOPERATIVE PROGRAM."

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I HAVE THE HONOR TO PROPOSE THAT, IF THE ABOVE MEETS WITH THE APPROVAL OF THE COLOMBIAN GOVERNMENT, THIS NOTE AND YOUR REPLY THERETO BE CONSIDERED AS CONSTITUTING AN AGREEMENT BETWEEN OUR TWO GOVERNMENTS CONCERNING THIS MATTER EFFECTIVE JANUARY 1, 1977.

ACCEPT, EXCELLENCY, THE RENEWED ASSURANCES OF MY

HIGHEST AND MOST DISTINGUISHED CONSIDERATION. END  
QUOTE.

2. REQUEST IMMEDIATE REPLY SO THAT DRAFT NOTE CAN BE  
DISCUSSED AT MEETING WITH GOC SET FOR DEC 6 AT 1530.  
SANCHEZ

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NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** METEOROLOGY, AGREEMENT DRAFT  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 03 DEC 1976  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** n/a  
**Disposition Approved on Date:**  
**Disposition Authority:** n/a  
**Disposition Case Number:** n/a  
**Disposition Comment:**  
**Disposition Date:** 01 JAN 1960  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1976BOGOTA12082  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Film Number:** D760448-0383  
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**Line Count:** 121  
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**Office:** ACTION COME  
**Original Classification:** UNCLASSIFIED  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 3  
**Previous Channel Indicators:** n/a  
**Previous Classification:** n/a  
**Previous Handling Restrictions:** n/a  
**Reference:** 76 BOGOTA 12070  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** wolfsd  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 26 MAY 2004  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <26 MAY 2004 by hattaycs>; APPROVED <10 AUG 2004 by wolfsd>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
04 MAY 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** DRAFT METEOROLOGICAL AGREEMENT FOR COLOMBIA  
**TAGS:** TPHY, CO, US  
**To:** STATE  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006